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July 2, 1998

Ms. Kathleen K. Schnieders  
Assistant Regional Counsel  
U.S. ENVIRONMENTAL PROTECTION AGENCY  
Region V  
77 West Jackson Boulevard  
Chicago, IL 60604

US EPA RECORDS CENTER REGION 5



Re: United States of America v. City of Albion, Michigan v. Cooper Industries, et al., Case No. 1:97-CV-1037 (W.D. Mich.)  
Sheridan Township Landfill, Calhoun County, Michigan

Dear Kathleen:

This is in response to your letter dated June 9 regarding copies of the Calhoun County Health Department documents. You have asked whether we indeed are asking for payment of photocopying charges for reproducing the Health Department's files at your request. Yes, we are asking that the Plaintiff pay the invoice we submitted for reasonable copy charges.

You certainly could have traveled to Lansing to review the documents as produced by the Calhoun County Health Department and paid for copies of only certain documents which you might have selected, or you could have elected only to view the documents and not obtain copies of any of them. However, when you asked us to provide copies of the documents produced by the Health Department, it is appropriate and expected that reasonable copy charges will be paid. Please note that we have not included any of our paralegal or clerical time in preparing these copies, our time in obtaining the documents pursuant to the Subpoena, or even postage for mailing the documents to you.

For your information, we have similarly charged the other parties who requested copies of these documents, because we do not think it fair that the City of Albion should bear

Ms. Kathleen K. Schnieders

July 2, 1998

Page 2

these copy costs on top of the other expenses in obtaining these documents from a third-party. Please let me know if you have any further questions in this regard, or wish to discuss it further.

Very truly yours,

VARNUM, RIDDERING, SCHMIDT & HOWLETT<sup>LLP</sup>

A handwritten signature in black ink, appearing to read "Charles M. Denton", with a stylized flourish at the end.

Charles M. Denton

/ss

cc: Mr. Kim A. Cox  
Mr. Charles A. Robison  
Mr. Francis J. Biros